

REMARKS

Claims 1 – 21 are pending.

Applicant has amended claims 1, 3, 4, 9, 10, 12-14, 16-18, 20 and 21 and submits that each pending claim is in condition for allowance.

Objections to the Specification

Applicant thanks the Examiner for his helpful comments regarding the proper treatment of various trademarks used in the specification. The specification has been amended to address the Examiner's objections. In view of these amendments, Applicant respectfully requests withdrawal of the objections to the specification.

Claim Rejections

The Office Action rejected claims 1, 3-5, 7, 8, 10, 12-14, 16-18, 20 and 21 under 35 U.S.C. §102(e) as being anticipated by the Murata patent (U.S. Patent No. 6,247,081). The Office Action also rejected claims 2, 6, 9, 11, 15 and 19 under 35 U.S.C. §103(a) as being obvious from the Murata patent.

Claim 1 has been amended to recite a method of installing a “network protocol.” Support for this amendment can be found, for example, on page 3, lines 7 – 9 of the specification. No new matter has been added. The Murata patent neither teaches nor suggests a method of installing a network protocol. Instead, the Murata patent discloses a method of installing a “driver” without rebooting a hardware system. As will be readily understood by one of ordinary skill in the art, drivers are substantially different from network protocols.

Moreover, the installation requirements and techniques associated with drivers differ significantly from those associated with network protocols. For example, typically, only a single driver can be bound to a particular device. In contrast, multiple network protocols may be bound to a particular network adapter. Additionally, drivers are designed to operate only with one particular type of device, and, in that sense, can be considered “hardware dependent.” *See e.g.,*

column 3, lines 57-60. On the other hand, network protocols can typically operate with a wide variety of network adapter types, and, in that sense, may be considered "hardware independent."

Applicant submits, therefore, that the subject matter recited in claim 1 is neither taught nor suggested by the Murata patent. Accordingly, Applicant respectfully requests allowance of claim 1.

Claims 2 – 9 depend, either directly or indirectly, from claim 1 and should, therefore, be allowable for at least the same reasons as claim 1.

Applicant submits that claim 2 should be allowable for at least another reason as well. Specifically, claim 2 recites, "automatically rebooting the computer." In contrast, the Murata patent teaches away from this limitation. Referring, for example, to column 1, 45 – 53, the Murata method teaches installing a driver "without requiring system reboot." For at least this additional reason, claim 2 should be allowable.

Claim 10 has been amended to recite "a processor configured to load a network protocol in the apparatus automatically in response to a process-initiating event and to bind the network adapter to the network protocol automatically." As discussed above, the Murata patent fails to teach or suggest those limitations. Therefore, claim 10 also should be allowable.

Claims 11 – 13 depend, either directly or indirectly, from claim 10 and should, therefore, be allowable for at least the same reasons as claim 10.

Claim 14 has been amended to recite instructions for causing a computer system to "automatically load a network protocol on a computer in response to a process-initiation event; and automatically bind an existing network adapter to the network protocol." For reasons similar to those discussed above, Applicant submits that those limitations are neither taught nor suggested by the Murata patent. Applicant, therefore, respectfully requests allowance of claim 14.

Claims 15 – 17 depend, either directly or indirectly, from claim 14 and should therefore be allowable for at least the same reasons as claim 14.

Claim 15 also should be allowable for additional reasons that are similar to those discussed above with reference to claim 2. Specifically, claim 15 recites "causing the computer

system to automatically reboot the computer after binding.” As previously pointed out, the Murata patent teaches away from this limitation. For at least this additional reason, claim 15 should be allowable.

Claim 18 has been amended to recite, “a processor . . . configured to automatically load the network protocol on the computer in response to a process initiation event, and to automatically bind the network adapter to the network protocol.” As discussed above, the Murata patent neither teaches nor suggests those limitations. Accordingly, Applicant submits that claim 18 should be allowable and respectfully requests such allowance.

Claims 19 – 21 depend, either directly or indirectly from claim 18 and, therefore, should be allowable for at least the same reasons as claim 18.

Claim 19 also should be allowable for additional reasons that are similar to those discussed above with reference to claim 2. Specifically, claim 19 recites, “the processor is further configured to automatically reboot the computer.” As discussed above, the Murata patent teaches away from this limitation. For at least this additional reason, claim 19 should be allowable.

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Respectfully submitted,

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Samuel Borodach

Samuel Borodach
Reg. No. 38,388

Fish & Richardson P.C.
12390 El Camino Real
San Diego, CA 92130-2081
Telephone: (858) 678-5070
Facsimile: (858) 678-5099